

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	MDL NO. 1456
LITIGATION	)	
	)	CIVIL ACTION: 01-CV-12257-PBS
THIS DOCUMENT RELATES TO:	)	
ALL CLASS ACTIONS	)	Judge Patti B. Saris
	)	

**PLAINTIFFS' NOTICE OF WITHDRAWAL OF  
PLAINTIFFS' MOTION TO COMPEL DEFENDANT GLAXOSMITHKLINE, INC.  
TO PRODUCE TRANSACTIONAL DATA**

Please take notice that Plaintiffs' Motion to Compel Defendant GlaxoSmithKline, Inc. ("GSK") to Produce Transactional Data filed February 3, 2005 is hereby withdrawn. GSK has agreed to produce transactional data for certain drugs for the period 1991 through 1997 and 2002 through 2003. Plaintiffs reserve the right to seek production of unproduced transactional data following a decision on summary judgment if appropriate and GSK reserves all defenses.

Respectfully submitted,

By /s/ David Nalven  
Thomas M. Sobol  
David S. Nalven  
Edward Notargiacomo  
Hagens Berman Sobol Shapiro LLP  
One Main Street  
Cambridge, MA 02142  
Telephone: (617) 482-3700  
Facsimile: (617) 482-3003

Steve W. Berman  
Sean R. Matt  
Hagens Berman Sobol Shapiro LLP  
1301 Fifth Avenue, Suite 2900  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594

*LIAISON AND CO-LEAD COUNSEL*

Eugene A. Spector  
Jeffrey Kodroff  
Spector, Roseman & Kodroff, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103  
Telephone: (215) 496-0300  
Facsimile: (215) 496-6611

Marc H. Edelson  
Hoffman & Edelson  
45 West Court Street  
Doylestown, PA 18901  
Telephone: (215) 230-8043  
Facsimile: (215) 230-8735

Kenneth A. Wexler  
Kenneth A. Wexler & Associates  
One North LaSalle Street, Suite 2000  
Chicago, IL 60602  
Telephone: (312) 346-2222  
Facsimile: (312) 346-0022

Samuel Heins  
Brian Williams  
Heins, Mills & Olson, P.C.  
700 Northstar East  
608 Second Avenue South  
Minneapolis, MN 55402  
Telephone: (612) 338-4605  
Facsimile: (612) 338-4692

**CO-LEAD COUNSEL**

**CERTIFICATE OF SERVICE**

Docket No. MDL 1456

I, David S. Nalven, hereby certify that I am one of plaintiffs' attorneys and that, on March 1, 2005, I caused copies of Plaintiffs' Notice of Withdrawal of Plaintiffs' Motion to Compel Defendant GlaxoSmithKline to Produce Transactional Data to be served via VeriLaw on all counsel of record.

/s/ David S. Nalven

Dated: March 1, 2005